

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KING DRUG COMPANY OF FLORENCE :

INC. et al., :

Plaintiffs, :

v. :

CEPHALON, INC., et al., :

Defendants. :

CIVIL ACTION
No. 06-cv-1797

VISTA HEALTHPLAN, INC., et al., :

Plaintiffs, :

v. :

CEPHALON, INC., et al., :

Defendants. :

CIVIL ACTION
No. 06-cv-1833

APOTEX, INC., :

Plaintiff, :

v. :

CEPHALON, INC., et al., :

Defendants. :

CIVIL ACTION
No. 06-cv-2768

FEDERAL TRADE COMMISSION, :

Plaintiff, :

v. :

CEPHALON, INC., :

Defendant. :

CIVIL ACTION
No. 08-cv-2141

[PROPOSED] ORDER

AND NOW, this _____ day of _____, 2012, upon consideration of (1) Apotex's Memorandum on the Preclusive Effect of the Patent Decisions on the Parties to Civil Action No. 2:06-CV-2768 (Dkt. No. 524),¹ (2) Plaintiff Federal Trade Commission's Motion on the Preclusive Effect of the Court's Decision Invalidating the '516 Patent, No. 08-CV-2141 (Dkt. No. 177), (3) Direct Purchaser Plaintiffs' Motion to Preclude Defendants from Relitigating Issues Relating to the Validity and Enforceability of the RE'516 Patent, No. 06-CV-1797 (Dkt. No. 459), and (4) End-Payor Plaintiffs' Notice of Motion for Application of Collateral Estoppel, No. 06-CV-1833 (Dkt. No. 199), and the responses thereto, **IT IS ORDERED** that the Motions are **DENIED**.

Mitchell S. Goldberg, J.

¹ Apotex did not file a motion with its Memorandum.